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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Programme budget implications of draft resolution A/C.3/48/L.38

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

A. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 2 and 9 of draft resolution A/C.3/48/L.38, the General Assembly would:

(a) Endorse the Vienna Declaration and Programme of Action, adopted on 25 June 1993 by the World Conference on Human Rights;

(b) Request the Secretary-General, the General Assembly, the Commission on Human Rights and other organs and agencies of the United Nations system related to human rights to take further action with a view to the full implementation of all recommendations of the Conference.

B. Relationship of the request to the approved programme of work

2. The above request is related to major programme VII, Human rights, fundamental freedoms and humanitarian affairs, programme 35, Promotion and protection of human rights, of the medium-term plan for the period 1992-1997, as revised, 1/ and the programme of activities of section 21, Human rights of the proposed programme budget for the biennium 1994-1995. 2/

C. Activities by which the request would be implemented

3. It may be recalled that, in the proposed programme budget for the biennium 1994-1995, the Secretary-General has proposed an increase in the level of resources for the Centre for Human Rights in order to provide for the strengthening of the Centre. Following a careful review of the provisions of the Vienna Declaration and Programme of Action, 3/ which this draft resolution would endorse, it is anticipated that with this increase in the level of resources, the Centre would be in a position to respond to most of the provisions of the Programme of Action that are addressed to the Centre. A limited number of provisions that would give rise to the need for additional resources are dealt with in the present statement.

1. Ratification of the human rights treaties and protocols

4. In paragraph 4 of section II of the Vienna Declaration and Programme of Action, 3/ the World Conference on Human Rights strongly recommends that a concerted effort be made to encourage and facilitate the ratification of and accession or succession to international human rights treaties and protocols adopted within the framework of the United Nations system with the aim of universal acceptance. The Secretary-General, in consultation with treaty bodies, should consider opening a dialogue with States not having acceded to these human rights treaties, in order to identify obstacles and to seek ways of overcoming them.

5. In order to implement this recommendation, the organization of two regional meetings would be required with a view to familiarizing appropriate officials with the contents of the treaties, encouraging ratification and identifying and resolving obstacles to ratification. In addition, the Centre for Human Rights in consultation with the treaty bodies would carry out a study by region, on ratification of human rights treaties with a view to identifying the obstacles to ratification or acceptance and the means by which they can be overcome. The result would be suggestions for an overall approach to achieving universal acceptance as soon as possible. Another study by region would also be carried out regarding reservations and ways and means of achieving the objectives of the World Conference.

6. This would require the provision of temporary assistance ($137,000) to prepare the studies and $131,000 for the convening of two meetings.

7. The following activities would be included in the proposed programme budget for the biennium 1994-1995 under subprogramme 1, Implementation of international instruments and procedures of section 21, Human rights:

"2(b) Technical services

(iii) two technical studies: (a) ratification of human rights treaties; (b) reservations and ways and means of achieving the objectives of the World Conference."

2. Racism, racial discrimination, xenophobia and other forms of intolerance

8. Under paragraph 19 of section II of the Programme of Action, the World Conference considers the elimination of racism and racial discrimination as a primary objective for the international community and a world-wide promotion programme in the field of human rights, and calls for the United Nations organs and agencies to strengthen their efforts to implement a programme of action related to the Third Decade to Combat Racism and Racial Discrimination. The strengthening of efforts, bearing in mind also the provisions contained in draft resolution A/C.3/48/L.13/Rev.1 concerning the proclamation of the Third Decade and its related Programme of Action, would require that a team within the Centre for Human Rights be established. The team would monitor the implementation of the programme of activities within the framework of the Decade. Two additional posts, one P-5 and one General Service/Other Level post, would be required. The P-5 officer would be responsible for coordination and monitoring of all activities within the Centre for Human Rights and would maintain liaison with agencies and institutions for developing common approaches on this subject.

9. The additional activities which would be included in the proposed programme budget for the biennium 1994-1995, section 21, Human rights, subprogramme 2, Elimination and prevention of discrimination and protection of minorities and vulnerable groups, are as follows:

"3. Coordination, harmonization and liaison

"(a) Coordination and monitoring of activities of the Third Decade to Combat Racism and Racial Discrimination."

3. Indigenous people

10. Under paragraph 30 of section II of the Vienna Declaration and Programme of Action, the World Conference recommends that adequate human and financial resources be made available to the Centre for Human Rights within the overall framework of strengthening the Centre's activities, and under paragraph 32, the World Conference recommends that the General Assembly proclaim an international decade of the world's indigenous people, to begin from January 1994, including action-oriented programmes to be decided upon in partnership with indigenous people.

11. In pursuance of these recommendations and bearing in mind similar provisions contained under draft resolution A/C.3/48/L.54, the provision to the Centre for Human Rights of two additional posts, one P-4 and one General Service, would be required in order to assist in the coordination of the programme of activities for the International Decade of the World's Indigenous People, in full consultation with Governments, relevant bodies, the specialized agencies, indigenous and non-governmental organizations and the organization and servicing of all meetings relating to this subject, including the Working Group, seminars of experts, drafting of reports and supervising consultants engaged in preparation of reports mandated by the General Assembly and by the Commission on Human Rights. The officer would also maintain liaison with special rapporteurs, conduct research and prepare articles and other promotional material. The

programmes and projects to be undertaken in pursuance of the goals of the Decade would be financed from a voluntary trust fund which would be established for this purpose.

12. The additional activities which would be included in the proposed programme budget for the biennium 1994-1995, section 21, Human rights, subprogramme 2, Elimination and prevention of discrimination and protection of minorities and vulnerable groups, are as follows:

"3. Coordination, harmonization and liaison

"(b) Coordination of activities relating to the Working Group on Indigenous Populations and the programme for indigenous people (including the activities of the International Year of the World's Indigenous People).

4. Rights of the child

13. Under paragraph 46 of section II of the Vienna Declaration and Programme of Action, the World Conference on Human Rights recommends that measures should be taken to achieve universal ratification of the Convention on the Rights of the Child by 1995 and the universal signing of the World Declaration on the Survival, Protection and Development of Children and Plan of Action adopted by the World Summit for Children. Under paragraph 53, the World Conference recommends that the Committee on the Rights of the Child, with the assistance of the Centre for Human Rights, be enabled expeditiously and effectively to meet its mandate, especially in view of the unprecedented extent of ratification and subsequent submission of country reports.

14. In order to implement these recommendations, a focal point would be established at the Centre for Human Rights to coordinate action and to maintain liaison on issues related to the child within the United Nations. It would also coordinate closely with the United Nations Children's Fund (UNICEF) with regard to achieving the goals of the World Summit for Children. Increased assistance would be provided to the Committee on the Rights of the Child, in order that the Committee may deal with the reporting obligations of the more than 150 States parties. This would require the provision to the Centre of Human Rights in 1994-1995 of four additional posts, one P-4, one P-3 and two General Service.

15. The P-4 human rights officer would act as a focal point in the office of the Assistant Secretary-General and would coordinate action and maintain liaison on issues related to the child within the United Nations system, and in particular with UNICEF, and other relevant agencies and bodies. The staff member would also coordinate closely with UNICEF with regard to achieving the goals of the Programme of Action of the World Summit for Children, including the integration of the Convention on the Rights of the Child into national plans of action, and would finalize a specific programme for ratification of the Convention by 1995.

16. The P-3 human rights officer would assist the Secretary of the Committee on the Rights of the Child in performing necessary organizational, research, drafting and analytical tasks related to the operation of the Committee.

17. The following activities would be included in the proposed programme budget for the biennium 1994-1995, section 21, Human rights, subprogramme 2, Elimination and prevention of discrimination and protection of minorities and vulnerable groups:

"3. Coordination, harmonization and liaison

"(c) Coordination of and liaison on the activities relating to rights of the child."

D. Additional requirements at full cost

18. The implementation of the requests contained in draft resolution A/C.3/48/L.38 would require a total additional provision of $1,987,400, as follows:

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(1)	Ratification of the human rights treaties Temporary assistance: (9 work-months of P-4, 6 work-months of GS)	137.0
	Travel of 15 participants to two meetings	131.0
	Total:	268.0
(2)	Racism and racial discrimination (1 P-5, 1 GS)	468.4
(3)	Indigenous people (1 P-4, 1 GS)	431.1
(4)	Rights of the child (1 P-4, 1 P-3, 2 GS)	819.9
	Grand total:	1 987.4

In addition, it is estimated that $505,000 would be required under section 28 (Staff assessment), to be offset by the same amount under Income section 1 (Income from staff assessment).

E. Potential for absorption

19. In the proposed programme budget for the biennium 1994-1995, under section 21, Human rights, provision has been made for one P-4, one P-3 and two General Service posts in connection with the implementation of the International Convention on the Protection of all Migrant Workers and their Families. Since this Convention is not likely to enter into force in 1994-1995, these resources would be redeployed to the additional work envisaged in respect of the rights of the child. As and when the Convention on the Protection of All Migrant Workers enters into force, the Secretary-General will revert to the question and seek

the resources required. As regards the remaining activities described in the present statement, no provision has been made in the proposed programme budget for the biennium 1994-1995.

F. Indication of additional requirements

20. Accordingly, should the General Assembly adopt draft resolution A/C.3/48/L.38, it is estimated that additional requirements of $1,167,500 would arise under section 21 of the proposed programme budget for the biennium 1994-1995. Furthermore, an amount of $287,100 would be requested under section 28 (Staff assessment), to be offset by the same amount under Income section 1 (Income from staff assessment).

G. Contingency fund

21. It will be recalled that under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the proposed programme budget. Under the same procedure, if additional expenditures are proposed that exceed resources available from the contingency fund, these activities can be implemented only through the redeployment of resources available from low-priority areas or the modification of existing activities. Otherwise, such additional activities will have to be deferred until a later biennium. A consolidated statement of all programme budget implications and revised estimates will be submitted to the General Assembly towards the end of the current biennium.

22. No activity has been identified for termination, deferral, curtailment or modification under section 21 of the proposed programme budget for the biennium 1994-1995. Should it not prove possible to meet the costs required from the contingency fund, the implementation of the draft resolution may have to be postponed, as provided for under the guidelines for the use and operation of the continency fund adopted by the General Assembly in resolution 42/211 of 21 December 1987.

H. Summary

23. Should the General Assembly adopt draft resolution A/C.3/48/L.38, it is estimated that additional appropriations of $1,167,500 would be required under section 21 of the proposed programme budget for the biennium 1994-1995. Furthermore, an amount of $287,100 would be required under section 28 (Staff assessment), to be offset by the same amount under income section 1 (Income from staff assessment).

Notes

1/ See Official Records of the General Assembly, 1992 (A/47/6/Rev.1).

2/ A/48/6 (Sect. 21).

3/ A/CONF.157/24 (part I), chap. III.